



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

BY ECF

August 14, 2020

Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Bomba, et al.*, 19 Cr. 463 (DLC)

Dear Judge Cote:

The Government writes to update the Court and all counsel on the status of discovery in the above-captioned case. The Government has substantially completed the production of Rule 16 discovery with respect to each of the defendants, including Zalmund Zirkind.

However, the Government wishes to alert the Court and defense counsel that it has not yet produced Title III intercepts or cellsite data it received from another prosecutor's office,¹ or license plate reader data relating to the March 2018 heroin seizure, which it just obtained. The Government anticipates producing those materials within approximately one week. The Government also anticipates producing, in an abundance of caution, additional non-Rule 16 material on a rolling basis. This includes DEA reports that relate to the broader investigation, but not the arrested defendants, and electronic devices and statements of potential witnesses in the case. These materials require redactions to protect the identities of witness and un-charged or not-yet-arrested targets. The Government anticipates producing these materials as the redactions are completed.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: /s/
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cc: All counsel (by ECF)

¹ The Government is not aware of any of the arrested defendants having been intercepted over this wire or their cellsite information having been collected by the other prosecutor's office. However, the Government might offer some of the intercepts and cellsite information at a trial against Garibaldi Lopez or Baez to provide context regarding the March 2018 heroin seizure.